

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval
For
Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, Network Contract Office (NCO) 10 on behalf of the Chalmers P. Wylie VA Ambulatory Care Center (VAACC), Columbus, Ohio.

Justification for Other than Full and Open Competition

Transaction: 757-14-2-196-0109

2. **Nature and/or Description of the Action Being Processed:** The VAACC Columbus and NCO 10 intend to award a new firm-fixed price purchase order to Metro Medical Support Services. This procurement is for a Smith & Nephew Spider 2 limb positioner and components. They are to be used for patient care in the surgery unit and open market items. Metro Medical is the only authorized dealer for Smith & Nephew Endoscopy and they are a small business vendor.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

1. 72203299 SMITH & NEPHEW ENDO | SPIDER 2 | 1 EA
2. 72203301 SMITH & NEPHEW ENDO | SPIDER 2 BATTERY | 1 EA
3. 7210570 SMITH & NEPHEW ENDO | PIGGY BACK (2/BX) | 2 BX
4. 7210571 SMITH & NEPHEW ENDO | BAR, CONNECTOR, SHOULDER (2/BX) | 2 BX
5. 7210573 SMITH & NEPHEW ENDO | KIT, STABILIZATION SHOULDER, (12/BX) | 1 EA
6. 72203300 SMITH & NEPHEW ENDO | SWITCH DRAPE (20/BX) | 1 BX
7. 7210576 SMITH & NEPHEW ENDO | BAR, CONN, SHOULDER, LATERAL(2/BX) | 2 BX
8. 7210577 SMITH & NEPHEW ENDO | ACCESSORY, TRACTION | 4 EA

4. **Statutory Authority Permitting Other than Full and Open Competition:**

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- () (2) Unusual and Compelling Urgency per FAR 6.302-2;
- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This is a positioning device for arthroscopic shoulder procedures that offers instantaneous positioning. It has exceptional control of abduction, rotation and forward flexion in both the beach chair and lateral decubitus positions as well as forward and downward traction. This device is one of the few devices that can manipulate the shoulder during arthroscopic procedures with accurate and steady-motion so the surgeon is able to access all parts of the joint. It also has a distal activation switch that can be located to the patient or accessory. It has an optional foot pedal activation as well as being battery powered. This device can be used with both lateral and beach chair shoulder procedures. This is the only company that makes a battery operated positioning device. The other companies are on manual controls. The VAACC Columbus currently uses the Operating Room tables that this device will attach to. With the new shoulder surgeon that is due to start at VAACC Columbus, they need this equipment so they will be able to do the arthroscopic procedures that he specializes in. At this time we do not have any arthroscopic equipment to do shoulder arthroscopies.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The Contract Specialist posted the Request for Information (RFI) to inform that VAACC intends to sole source this requirement to Metro Medical in Federal Business Opportunities (FBO). The Contract Specialist also informed that if any firms can supply this device that meets the requirements to give written notice to the Contract Specialist on or before the closing date 4/23/14. There was no response to FBO notice.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The pricing offered is consistent with prices offered to all customers and therefore the anticipated cost is considered to be fair and reasonable to the Government.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Please see section 6.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** No other facts.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** At this time, no barriers can be removed for this procurement; but the program office will continue to evaluate other positioning devices will as they come on the market.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

13. Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification (required)**: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

- b. **NCM/PCM (Required \$3K and above)**: I certify the justification meets requirements for other than full and open competition.